

IN RE: PETITION FOR VARIANCE
NE/S Bennett Road, 70' NW of
the c/l of Langley Road
(121 Bennett Road)
15th Election District
5th Councilmanic District

Tabernacle Baptist Church
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-211-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 121 Bennett Road, located in the vicinity of Stemmers Run Road and Eastern Boulevard in Middlesex. The Petition was filed by the owner of the property, the Tabernacle Baptist Church, by Kenneth Cademartori, Pastor, through their attorney, James H. Patterson, Esquire. The Petitioner seeks relief from Section 413.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a double-faced, illuminated sign of 70 sq.ft. in lieu of the maximum permitted 30 sq.ft., for a proposed replacement sign. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Pastor Kenneth Cademartori and James H. Patterson, Esquire. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 0.8058 acres, more or less, split zoned D.R. 16 and D.R. 5.5 and is the site of the Tabernacle Baptist Church. The Petitioner is desirous of replacing an existing identification sign, which contains 75 sq.ft. of total sign area, with a smaller, illuminated sign of 70 sq.ft. Testimony indicated the proposed sign is necessary to safely identify the

ORDER RECEIVED FOR FILING

Date

By

Church and hours of activities. While the proposed sign will be smaller than the existing sign, a variance is still necessary. Further testimony indicated that strict compliance with the zoning regulations would result in a practical difficulty and unreasonable hardship, due to the topography of the land and the uses nearby.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.


After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the require-

ments from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 2nd day of January, 1996 that the Petition for Variance seeking relief from Section 413.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a double-faced illuminated sign of 70 sq.ft. in lieu of the maximum permitted 30 sq.ft., for a proposed replacement sign, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date 1/2/96

By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

January 2, 1996

James H. Patterson, Esquire
400 E. Joppa Road
Towson, Maryland 21286

RE: PETITION FOR VARIANCE
NE/S Bennett Road, 70' NW of the c/l of Langley Road
(121 Bennett Road)
15th Election District - 5th Councilmanic District
Tabernacle Baptist Church - Petitioner
Case No. 96-211-A

Dear Mr. Patterson:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Pastor Kenneth Cademartori
Tabernacle Baptist Church, 121 Bennett Road, Baltimore, Md. 21221

People's Counsel

File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

121 Bennett Road, Baltimore MD 21221
which is presently zoned DR 16

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 413.1-b, to allow a double sided illuminated sign with a total area of 70 sq. ft. in lieu of the permitted 30 sq. ft. sign. This sign is to replace an existing unlit double sided sign with a total area of 75 sq.ft. + or -.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See Attachment

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

JAMES H. PATTERSON

(Type or Print Name)

Signature

400 E. Joppa Road 825-0164

Address

Phone No

Towson, MD 21286

City

State

Zipcode

Legal Owner(s)

Tabernacle Baptist Church

(Type or Print Name)

Signature

(Type or Print Name)

Signature

121 Bennett Road 686-3464

Address

Phone No

Baltimore MD 21221

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: MDIC

DATE

12/15/95

ORDER RECEIVED FOR FILING

Date

By

Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

ATTACHMENT
PETITION FOR ZONING VARIANCE
TABERNACLE BAPTIST CHURCH

96-211-A

The replacement of the existing sign by the allowable sign would cause the following practical difficulties:

A) The allowable sign would be too small and unsafe to be seen. The purpose of the new lit sign would be to safely identify the Church and to give the hours of the various activities.

B) The allowable sign, which would be much smaller and one-sided, could not be seen without diverting the driver's attention and would cause a danger to public safety and welfare.

C) The current two-sided sign was erected to take advantage of the topography.

D) The spirit of the sign ordinance would appear to be such that excessive signs, both in size and style, should not be allowed in residential areas. The ordinance allows for signs that are tastefully done and serve the purpose of identification for the permitted non-residential activities. The allowance of this variance would certainly fulfill the spirit of the ordinance.

Alexander P. Ratych, Prof. L.S.
Paul H. Francis, P.E.
Paul A. Ratych, Prop. L.S.
John S. Smith, P.E.

ZONING DESCRIPTION

96-211-A

BEGINNING FOR THE SAME at a point on the Northeast side of Bennett Road, 50 feet wide, at a distance of 70.00 feet Northwesterly from a point on said Northeast side of Bennett Road in line with the centerline of Langley Road, 50 feet wide; thence binding on the Northeast side of Bennett Road North 38 degrees 37 minutes 07 seconds West 225.00 feet to a point on the Southeast side of a 16" alley; thence leaving said land and binding on the Southeast side of said alley North 51 degrees 22 minutes 53 seconds East 173.43 feet; thence leaving said alley and running South 38 degrees 37 minutes 07 seconds East 175.00 feet, South 51 degrees 22 minutes 53 seconds West 78.43 feet, South 38 degrees 37 minutes 07 seconds East 50.00 feet, and South 51 degrees 22 minutes 53 seconds West 95.00 feet to the point of beginning; containing 0.8058 acres more or less:

Also known as # 121 Bennett Road and located in the 15th Election District of Baltimore County.

09/14/95



7427 Harford Road
Baltimore, Maryland 21234-7160
(410) 444-4312
Fax: (410) 444-1647

#209

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

96-211-A

District 157A Date of Posting 12/2/95
 Posted for: Variance
 Petitioner: Tabernacle Baptist Church
 Location of property: 121 Bennett Rd.
 Location of Sign: Facing road way on property being zoned
 Remarks: _____
 Posted by: [Signature] Date of return: 12/5/95
 Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. _____

DATE 11/15/95 ACCOUNT 01-615

Item: 209

SV, MK

AMOUNT \$ 285.00

RECEIVED FROM: Tabernacle Baptist Church - 121 Bennett Rd

020 - Comm Var. - \$ 250.00
 080 - 15.00 - \$ 35.00
\$ 285.00

FOR: _____

96-211-A

73A71#3590HICHRD #285.00
 84 COMD:35PM11-15-95

DISTRIBUTION
 WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

209
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 209 Petitioner: Tabernacle Baptist Church

Location: 121 Bennett Road

PLEASE FORWARD ADVERTISING BILL TO:

TREASURER
NAME: Tabernacle Baptist Church

ADDRESS: 121 Bennett Road

Baltimore MD 21221

PHONE NUMBER: 410-686-3464



TO: PUTUXENT PUBLISHING COMPANY
November 30, 1995 Issue - Jeffersonian

Please forward billing to:

Tabernacle Baptist Church
121 Bennett Road
Baltimore, MD 21221
686-3464

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-211-A (Item 209)
121 Bennett Road
NE/S Bennett Road, 70' NW of c/l Langley Road
15th Election District - 5th Councilmanic
Legal Owner: Tabernacle Baptist Church

Variance to allow a double-side illuminated sign with a total area of 70 sq. ft. in lieu of the permitted 30 sq. ft. sign.

HEARING: TUESDAY, DECEMBER 19, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 1, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-211-A (Item 209)
121 Bennett Road
NE/S Bennett Road, 70' NW of c/l Langley Road
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HEARING: TUESDAY, DECEMBER 19, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Tabernacle Baptist Church
James H. Paterson, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 14, 1995

James H. Patterson, Esquire
400 E. Joppa Road
Towson, MD 21286

RE: Item No.: 209
Case No.: 96-211-A
Petitioner: Tabernacle Baptist
Church

Dear Mr. Patterson:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 15, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).


Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Dec. 5, 1995
Zoning Administration and Development Management

FROM:  Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for December 4, 1995
Items 170 (Case #96-164XA), 205, 209,
211, 212, 213, and 214

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ~~ZADM~~ PDM - Joyce Watson

DATE: 12/12/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee

Agenda: 11/27/95 and 12/11/95
12/4/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

11/27/95

Item #'s: 205
207
209 ✓
213
214

12/11/95

220 thru 231
and
Rev. #195

12/4/95

215
217
218
219

LS:sp

LETTY2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/01/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF NOV. 27, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 205, 206, 207, 208, 209,
210, 211, 213 AND 214. {

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: December 4, 1995

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 202, 205, (209), 211, 213, and 214 S

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kline

PK/JL



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

11-28-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 209 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE
121 Bennett Road, NE/S Bennett Rd, 70'
NW of c/l Langley Road, 15th
Election District - 5th Councilmanic

Tabernacle Baptist Church
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-211-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of December, 1995, a copy of the foregoing Entry of Appearance was mailed to James H. Patterson, Esquire, 400 E. Joppa Road, Towson, MD 21286, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

RECEIVED

DATE
OF
PHOTOGRAPH



photograph

Case 96-211-A

96-211-A

existing signs to
be replaced



APPROVED

902-96

IN RE: PETITION FOR VARIANCE
NE/S Bennett Road, 70' NW of
the c/l of Langley Road
(121 Bennett Road)
15th Election District
5th Councilmanic District
Tabernacle Baptist Church
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-211-A

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Timothy M. Kotrocco
TIMOTHY M. KOTROCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

January 2, 1996

James H. Patterson, Esquire
400 E. Joppa Road
Towson, Maryland 21286

RE: PETITION FOR VARIANCE
NE/S Bennett Road, 70' NW of the c/l of Langley Road
(121 Bennett Road)
15th Election District - 5th Councilmanic District
Tabernacle Baptist Church - Petitioner
Case No. 96-211-A

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Very truly yours,

Timothy M. Kotrocco
TIMOTHY M. KOTROCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Pastor Kenneth Cademartori
Tabernacle Baptist Church, 121 Bennett Road, Baltimore, Md. 21221

People's Counsel

File

ORDER RECEIVED FOR FILING
Date 1/3/96
By bp

ORDER RECEIVED FOR FILING
Date 1/3/96
By bp

ORDER RECEIVED FOR FILING
Date 1/3/96
By bp

- 3 -

- 3 -



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 121 Bennett Road, Baltimore MD 21221
which is presently zoned DR 16

This Petition shall be filed with the Department of Permits & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from the Ordinance 413.1-b, to allow a double-sided illuminated sign with a total area of 70 sq. ft. in lieu of the permitted 30 sq. ft. sign. This sign is to replace an existing unit double-sided sign with a total area of 75 sq.ft. + or -.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

See Attachment

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee
(Type or Print Name)
Signature
Address
City State Zipcode
Attorney for Petitioner
JAMES H. PATTERSON
400 E. Joppa Road 825-0164
Towson, MD 21286

Legal Owner(s)
Tabernacle Baptist Church
(Type or Print Name)
Kenneth Cademartori
Signature
Kenneth Cademartori
Address
121 Bennett Road 686-3454
Baltimore MD 21221
Baltimore MD 21221
Name, Address and phone number of representative to be contacted
Name
Address
City State Zipcode
Phone No.
ESTIMATED LENGTH OF HEARING
1 hr.
At the following date
JAN 16 1996
RECEIVED BY TMK DATE 1/16/96

ORDER RECEIVED FOR FILING
Date 1/16/96
By bp

ATTACHMENT PETITION FOR ZONING VARIANCE TABERNACLE BAPTIST CHURCH

The replacement of the existing sign by the allowable sign would cause the following practical difficulties:

- A) The allowable sign would be too small and unsafe to be seen. The purpose of the new lit sign would be to safely identify the Church and to give the hours of various activities.
- B) The allowable sign, which would be much smaller and one-sided, could not be seen without diverting the driver's attention and would cause a danger to public safety and welfare.
- C) The current two-sided sign was erected to take advantage of the topography.
- D) The spirit of the sign ordinance would appear to be such that excessive signs, both in size and style, should not be allowed in residential areas. The ordinance allows for signs that are tastefully done and serve the purpose of identification for the permitted non-residential activities. The allowance of this variance would certainly fulfill the spirit of the ordinance.

ZONING DESCRIPTION

BEGINNING FOR THE SAME at a point on the Northeast side of Bennett Road, 50 feet wide, at a distance of 70.00 feet Northwesterly from a point on said Northeast side of Bennett Road in line with the centerline of Langley Road, 50 feet wide; thence binding on the Northeast side of Bennett Road North 38 degrees 37 minutes 07 seconds West 225.00 feet to a point on the Southeast side of a 16" alley; thence leaving said land and binding on the Southeast side of said alley North 51 degrees 22 minutes 53 seconds East 173.43 feet; thence leaving said alley and running South 38 degrees 37 minutes 07 seconds East 175.00 feet, South 51 degrees 22 minutes 53 seconds West 78.43 feet, South 38 degrees 37 minutes 07 seconds East 50.00 feet, and South 51 degrees 22 minutes 53 seconds West 95.00 feet to the point of beginning; containing 0.8058 acres more or less:

Also known as # 121 Bennett Road and located in the 15th Election District of Baltimore County.
09/14/95



APR ASSOCIATES, INC.
REGISTERED PROFESSIONAL LAND SURVEYOR

Alexander D. Smith, Prop. L.S.
Ruthanne Smith, Prop. L.S.
Paul A. Smith, Prop. L.S.
John S. Smith, Prop. L.S.



#209

7427 Harford Road
Baltimore, Maryland 21234-7160
(410) 444-4312
Fax: (410) 444-1647

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 12th Date of Posting 12/2/95
Posted for: Variance
Petitioner: Tabernacle Baptist Church
Location of property: 121 Bennett Rd.
Location of Sign: Sign on property of King George St.
Remarks:
Posted by: TMK Date of return: 12/19/95
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 1/15/96 ACCOUNT 01-615
ITEMS: 209
BY: TMK AMOUNT \$ 285.00
RECEIVED FROM: Tabernacle Baptist Church - 121 Bennett Rd
FOR: 96-211-A 0347180390MCHARD \$285.00
BA COLD:39AM11-15-95
VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 209 Petitioner: Tabernacle Baptist Church
Location: 121 Bennett Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Treasurer
Tabernacle Baptist Church

ADDRESS: 121 Bennett Road
Baltimore MD 21221

PHONE NUMBER: 410-686-3464

Printed with Soybean Ink
on Recycled Paper

12

TO: POTTER PUBLISHING COMPANY
November 30, 1995 Issue - Jeffersonian
Please forward billing to:
Tabernacle Baptist Church
121 Bennett Road
Baltimore, MD 21221
686-3464

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-211-A (Item 209)
121 Bennett Road
NE/S Bennett Road, 70' NW of c/l Langley Road
15th Election District - 5th Councilmanic
Legal Owner: Tabernacle Baptist Church

Variance to allow a double-side illuminated sign with a total area of 70 sq. ft. in lieu of the permitted 30 sq. ft. sign.

HEARING: TUESDAY, DECEMBER 19, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

LAURENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 1, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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HEARING: TUESDAY, DECEMBER 19, 1995 at 11:00 a.m. in Room 118, Old Courthouse.

Carl Jablon
Arnold Jablon
Director

cc: Tabernacle Baptist Church
James H. Patterson, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 14, 1995

James H. Patterson, Esquire
400 E. Joppa Road
Towson, MD 21286

RE: Item No.: 209
Case No.: 96-211-A
Petitioner: Tabernacle Baptist Church

Dear Mr. Patterson:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 15, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Dec. 5, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for December 4, 1995
Items 170 (Case #96-164XA), 205, 209,
211, 212, 213, and 214

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: PDM - Joyce Watson DATE: 12/12/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 11/27/95 and 12/11/95
12/4/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

11/27/95 12/11/95
Item #'s: 205 220 thru 231
207 and
209 Rev. #195
213
214

12/4/95

215
217
218
219

LS:sp

LETNYZ/DEPRM/TXTSBP

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/01/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF NOV. 27, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 205, 206, 207, 208, 209,
210, 211, 213 AND 214.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: December 4, 1995

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 202, 205, 209, 211, 213, and 214

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*

Division Chief: *Edmund Kline*

PK/JL

ITEM202/PZONE/ZAC1



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 209 (MSK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2295 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE
121 Bennett Road, NE/S Bennett Rd. 70'
NW of c/l Langley Road, 15th
Election District - 5th Councilmanic
Tabernacle Baptist Church
Petitioner
* * * * *

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-211-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

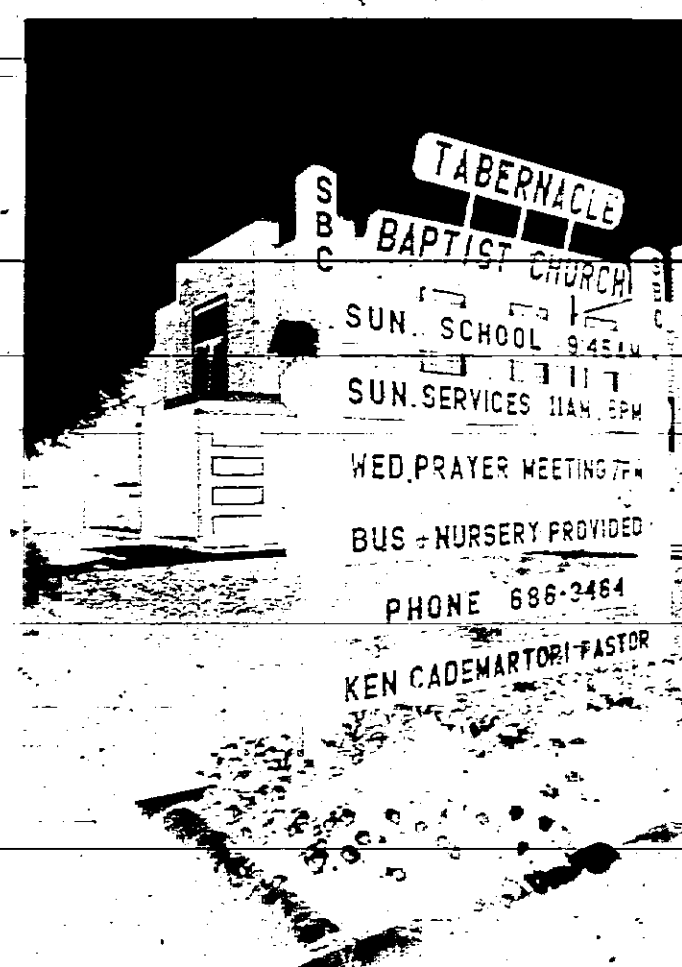
CERTIFICATE OF SERVICE

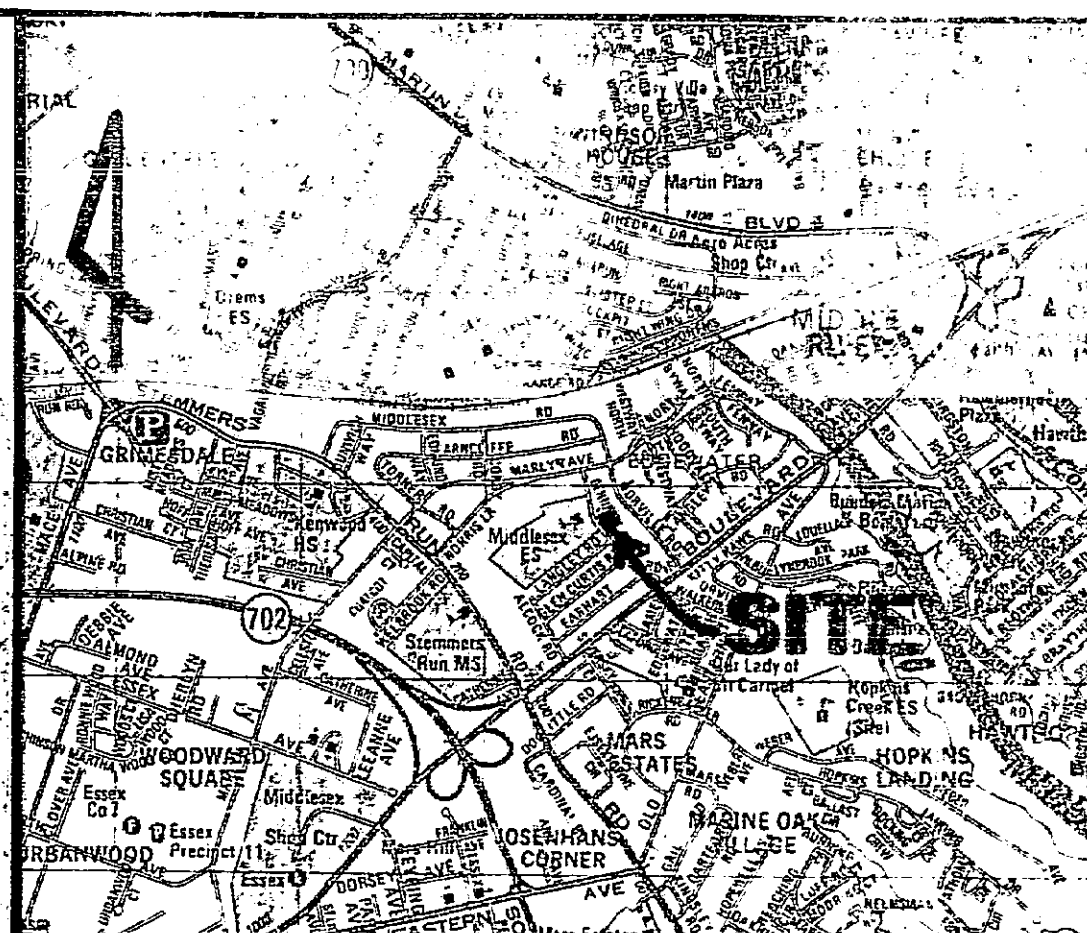
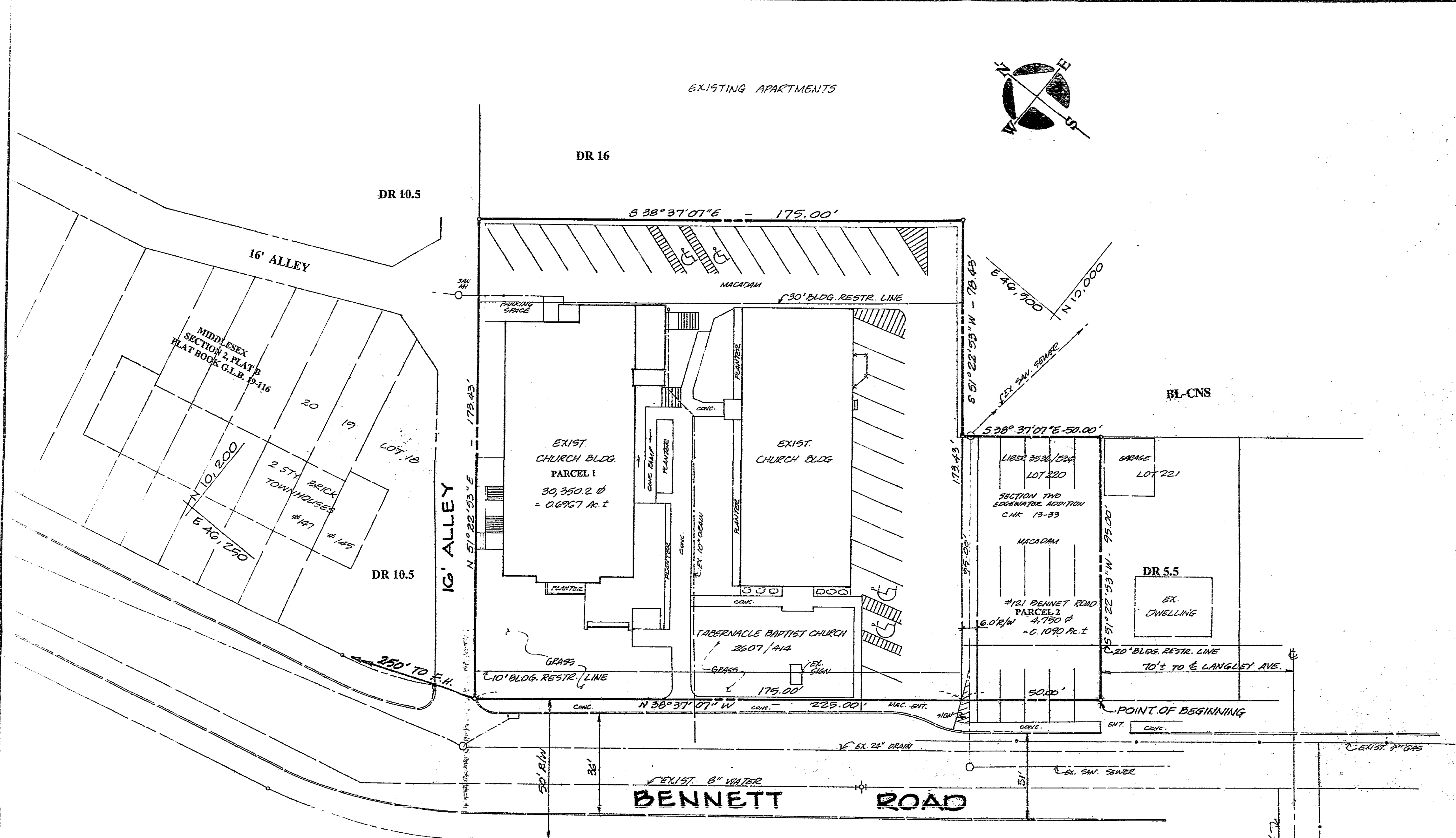
I HEREBY CERTIFY that on this 21st day of December, 1995, a copy of the foregoing Entry of Appearance was mailed to James H. Patterson, Esquire, 400 E. Joppa Road, Towson, MD 21286, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



photograph
Case 96-211-A

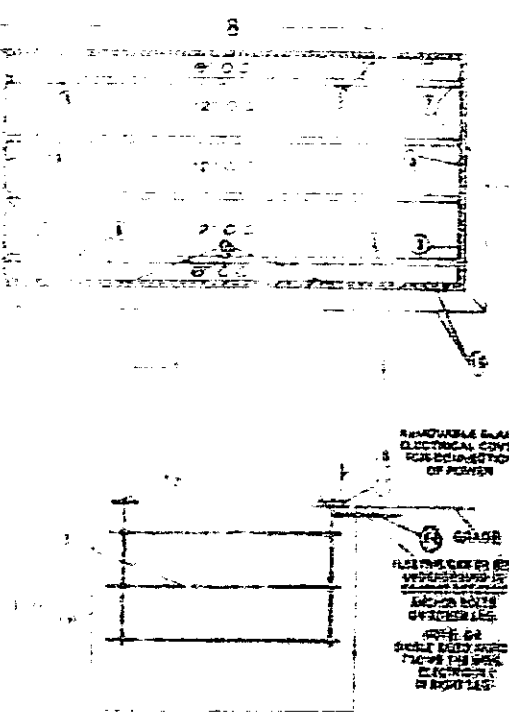




NOTES:

- 1) PROPERTY ZONED:
PARCEL 1 DR 16
PARCEL 2 DR 5.5
- 2) COUNCILMANIC DISTRICT : 5
- 3) PROPERTY :
GROSS AREA = 0.8057 Ac.
DR 16 = 0.6967 Ac.
DR 5.5 = 0.1090 Ac.
- 4) ZONING PLAN :
SHEET N.E. 3-H

PROPOSED SIGN SPECIFICATIONS



- FRAMING**
1. 1 1/2" x 4" x 8" ALUMINUM STUDS
 2. 1 1/2" x 4" x 8" ALUMINUM STUDS
 3. 1 1/2" x 4" x 8" ALUMINUM STUDS
 4. 1 1/2" x 4" x 8" ALUMINUM STUDS
 5. 1 1/2" x 4" x 8" ALUMINUM STUDS
 6. 1 1/2" x 4" x 8" ALUMINUM STUDS
 7. 1 1/2" x 4" x 8" ALUMINUM STUDS
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 12. 1 1/2" x 4" x 8" ALUMINUM STUDS
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 14. 1 1/2" x 4" x 8" ALUMINUM STUDS
 15. 1 1/2" x 4" x 8" ALUMINUM STUDS
 16. 1 1/2" x 4" x 8" ALUMINUM STUDS
 17. 1 1/2" x 4" x 8" ALUMINUM STUDS
 18. 1 1/2" x 4" x 8" ALUMINUM STUDS
 19. 1 1/2" x 4" x 8" ALUMINUM STUDS
 20. 1 1/2" x 4" x 8" ALUMINUM STUDS
- FACE**
1. 1/4" ALUMINUM ANGLE
 2. 1/4" ALUMINUM ANGLE
 3. 1/4" ALUMINUM ANGLE
 4. 1/4" ALUMINUM ANGLE
 5. 1/4" ALUMINUM ANGLE
 6. 1/4" ALUMINUM ANGLE
 7. 1/4" ALUMINUM ANGLE
 8. 1/4" ALUMINUM ANGLE
 9. 1/4" ALUMINUM ANGLE
 10. 1/4" ALUMINUM ANGLE
 11. 1/4" ALUMINUM ANGLE
 12. 1/4" ALUMINUM ANGLE
 13. 1/4" ALUMINUM ANGLE
 14. 1/4" ALUMINUM ANGLE
 15. 1/4" ALUMINUM ANGLE
 16. 1/4" ALUMINUM ANGLE
 17. 1/4" ALUMINUM ANGLE
 18. 1/4" ALUMINUM ANGLE
 19. 1/4" ALUMINUM ANGLE
 20. 1/4" ALUMINUM ANGLE
- FACE DETAIL**
Scale: 3/8" = 1"
- ANCHOR BOLT**
LOCK NUT
WASHER
BASE PLATE
- SEE FIGURE 1**
- FIGURE 1**

PETITIONER'S EXHIBIT 1

209

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE OF SIGN REGULATIONS
TABERNACLE BAPTIST CHURCH
121 BENNETT ROAD
15TH ELECTION DISTRICT
BALTO CO MD
SCALE: 1" = 20'
SHEET 14 1995

96-211-A